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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

ASIA AWAD, Plaintiff, v. LIBERTY MUTUAL FIRE INSURANCE COMPANY, RAAD KHALAF and DOES 1 – 30, inclusive, Defendants.	CASE NO.: 08 CV 0696 JM(AJB) SDSC Case No. 37-2008-00062594-CU-IC-EC **DECLARATION OF DALE A. AMATO IN SUPPORT OF MOTION TO DROP RAAD KAHLAF AS A SHAM DEFENDANT PURSUANT TO F.R.C.P. RULE 21** **DATE: 5-23-08** **TIME: 1:30 PM** **COURTROOM: 16**

I, DALE A. AMATO, hereby declare as follows:

1. I am an attorney admitted to practice in this court, and I am a partner with the Berger Kahn law firm, legal counsel of record for Defendant Liberty Mutual Fire Insurance Company ("LMFIC") in the above-entitled matter. If called to testify in this matter, I could and would testify competently to the following facts, which are within my personal knowledge.

2. On March 12, 2008, Asia Awad filed her Complaint in the San Diego Superior Court. entitled, *Asia Awad v. Liberty Mutual Fire Insurance Company et. al*., Case No. 37-2008-00062594-CU-IC-EC. Attached hereto as Exhibit "1" is a true and correct copy of said Complaint.

3. On April 16, 2008, my office removed this action to the United States District Court for the Southern District of California, pursuant to 28 U.S.C. sections 1332 and 1441(b).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 17 day of April 2008, at San Diego, California.

s/Dale A. Amato
Dale A. Amato, Declarant

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